

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KELLY BOLDING, and MICHAEL
MANFREDI, individually and on behalf of
a class of all others similarly situated,

Plaintiffs,

v.

BANNER BANK, a Washington Corporation,

Defendant.

No. C17-0601 RSL

STIPULATION AND
ORDER REGARDING EXPERT
REPORTS AND EXPERT
DEPOSITIONS

STIPULATION

The parties, by and through their counsel, stipulate to the following regarding an extension of the expert rebuttal report deadline and expert deposition scheduling. The parties jointly request that the Court enter the following Order approving this Stipulation. In support, the parties represent the following to the Court:

1. On September 2, 2020, Plaintiffs served their expert report, consistent with the Amended Case Scheduling Order [Dkt. 205]. *See* Fed. R. Civ. P. 26(a)(2)(B).

2. Defendant Banner Banks's rebuttal expert report is currently due on October 2, 2020. *See* Fed. R. Civ. P. 26(a)(2)(D)(2).

3. Banner requested to take the deposition of Plaintiffs' expert the week of September 21, 2020. Plaintiffs provided two alternative dates during that same requested week

1 for Defendant to depose Plaintiffs' Expert. Due to scheduling conflicts that later came up with
2 Defendant's counsel, the first mutually agreeable deposition date for the expert deposition was
3 September 30, 2020.

4 4. Given the timing of the deposition in relation to the rebuttal expert deadline,
5 Banner requested a one-week extension of the October 2, 2020 rebuttal expert deadline until
6 October 9, 2020.

7 5. Plaintiffs agreed to Banner's requested extension on the condition that Banner
8 agree to (a) coordinate dates for the deposition of Banner's rebuttal expert, (b) accept service of
9 subpoenas on behalf of Banner's rebuttal expert, (c) allow a one-week extension of the
10 November 4, 2020, discovery cutoff if necessary to allow Plaintiffs sufficient time to depose
11 Banner's rebuttal expert before the discovery cutoff, and (d) disclose the name of the rebuttal
12 expert upon filing of this Stipulation. Banner agreed to these terms on the express
13 understanding that the extension of the discovery cutoff was limited to Plaintiffs' deposition of
14 the rebuttal expert only, and no other discovery.

15 6. Based on the foregoing, the parties stipulate and jointly request that the Court
16 enter the proposed Order below approving the following:

- 17 a. Banner's Rebuttal Expert Report deadline is continued to October 9,
18 2020;
- 19 b. If necessary for Plaintiffs to depose Banner's rebuttal expert, Plaintiffs
20 shall have a one-week extension of the discovery cutoff to November 11,
21 2020. This extension is for the limited purpose of Plaintiffs taking
22 Banner's rebuttal expert deposition only.

23 It is so stipulated and presented by the following counsel this 17th day of September,
24 2020.

25 ///

26 ///

27 ///

The Blankenship Law Firm, P.S.
Attorneys for Plaintiffs

Davis Wright Tremaine LLP
Attorneys for Defendant Banner Bank

By s/ Scott C.G. Blankenship

Scott C. G. Blankenship, WSBA No. 21431
Richard E. Goldsworthy, WSBA No. 40684
Charlotte S. Sanders, WSBA No. 45051
1000 Second Avenue, Suite 3250
Seattle, WA 98104
Telephone: 206.343.2700
Fax: 206.343.2704
Email: sblankenship@blankenshiplawfirm.com
rgoldsworthy@blankenshiplawfirm.com
csanders@blankenshiplawfirm.com

By s/ Melissa Mordy

Kenneth E. Payson, WSBA #26369
Sheehan Sullivan Weiss, WSBA #33189
Melissa Mordy, WSBA #41879
Laura-Lee Williams, WSBA #51358
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
Telephone: 206.622.3150
Fax: 206.757.7700
Email: kenpayson@dwt.com
sheehansullivanweiss@dwt.com
missymordy@dwt.com
lauraleewilliams@dwt.com

ORDER

The Court has considered and approves the parties' stipulation. IT IS SO ORDERED.

DATED this 18th day of September 2020.



Robert S. Lasnik
UNITED STATES DISTRICT JUDGE

Presented by:

Davis Wright Tremaine LLP
Attorneys for Defendant Banner Bank

By s/ Melissa Mordy

Kenneth E. Payson, WSBA #26369
Sheehan Sullivan Weiss, WSBA #33189
Melissa Mordy, WSBA #41879
Laura-Lee Williams, WSBA #51358
920 Fifth Avenue, Suite 3300
Seattle, WA 98104
Telephone: 206.622.3150
Fax: 206.757.7700
Email: kenpayson@dwt.com
sheehansullivanweiss@dwt.com
missymordy@dwt.com
lauraleewilliams@dwt.com

///

1 The Blankenship Law Firm, P.S.
2 Attorneys for Plaintiffs

3 By s/ Scott C.G. Blankenship

4 Scott C. G. Blankenship, WSBA No. 21431

5 Richard E. Goldsworthy, WSBA No. 40684

6 Charlotte S. Sanders, WSBA No. 45051

7 1000 Second Avenue, Suite 3250

8 Seattle, WA 98104

9 Telephone: 206.343.2700

10 Fax: 206.343.2704

11 Email: sblankenship@blankenshiplawfirm.com

12 rgoldsworthy@blankenshiplawfirm.com

13 csanders@blankenshiplawfirm.com

14
15
16
17
18
19
20
21
22
23
24
25
26
27
STIPULATION AND ORDER

(C17-0601RSL) - 4

4815-0515-3483v.2 0058243-000340

Davis Wright Tremaine LLP

LAW OFFICES

1201 Third Avenue, Suite 2200

Seattle, WA 98101-3045

206.622.3150 main · 206.757.7700 fax